

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Federal-State Joint Board on)
Universal Service)
)
NPCR, INC. d/b/a NEXTEL PARTNERS)
)
Petition for Designation as an)
Eligible Telecommunications Carrier)
in the State of Virginia)
_____)

File No.

RECEIVED

APR 9 1 2004

Federal Communications Commission
Office of the Secretary

CC: 96-45

**PETITION FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN THE STATE OF VIRGINIA**

NPCR, INC. d/b/a NEXTEL PARTNERS

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SUMMARY

Nextel Partners is seeking designation as an Eligible Telecommunications Carrier pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (the “Act”) in certain Designated Areas in the state of Virginia, including specific rural telephone study areas covered in their entirety, rural telephone service areas partially covered, and non-rural ILEC wire centers covered in their entirety.

To the extent necessary for designation as an ETC in those rural telephone company study areas that are only partially covered, Nextel Partners seeks redefinition of the study areas to split the study areas into two separate service areas. Nextel Partners has submitted a list of wire centers covered by Nextel Partners in each case.

Designation of Nextel Partners as an Eligible Telecommunications Carrier is appropriate, since Nextel Partner meets all of the criteria set forth in Section 214 of the Act, and in Part 54 of the Commission’s Rules. In addition, designation of Nextel Partners as an ETC in the indicated rural telephone company study areas is supported by the public interest in light of the innovative services and consumer choice that Nextel Partners’ presence can bring to bear in those areas.

To the extent that Nextel Partners requests redefinition of a rural telephone company service area, Nextel Partners’ requests comply with applicable law, meet the concerns noted by the Joint Federal-State Board and are in the public interest.

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**PETITION FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN THE STATE OF VIRGINIA**

NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners"), by its undersigned counsel and pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (the "Act"), hereby submits this Petition for Designation ("Petition") as an eligible telecommunications carrier ("ETC") in the State of Virginia. Nextel Partners is licensed to, and provides, wireless telecommunications services throughout certain designated areas (the "Designated Areas") of the State of Virginia.¹ Nextel Partners seeks designation as an ETC for both study areas of rural telephone companies as defined in Section 153(37) of the Act, as well as wire centers of non-rural incumbent LECs.² As demonstrated herein, and certified in **Attachment 1** to this Petition, Nextel Partners meets all of the requirements for designation as an ETC in each of these Designated Areas and respectfully requests that the Commission promptly grant this Petition.

¹ Nextel Partners holds A and/or B and C Block EA licenses throughout the State of Virginia.

² A list of the rural telephone company study areas and non-rural incumbent LEC wire centers for which Nextel Partners seeks designation in this Petition (also referred to herein as the "Designated Areas") is set forth as **Attachment 1** hereto.

I. Nextel Partners Meets All the Requirements for Designation as an Eligible Telecommunications Carrier to Serve the Designated Areas in the State of Virginia

Under Section 214(e)(6) of the Act, 47 U.S.C. § 214(e)(6), the Commission, consistent with the public interest, convenience and necessity, may, with respect to an area served by a rural telephone company, and shall, in all other cases, designate more than one common carrier as an ETC for a designated service area, so long as the requesting carrier meets the requirements of § 214(e)(1). The Commission has previously identified the showing a carrier must make to meet the requirements of § 214(e)(6).³ As demonstrated below, and as set forth in the declaration of Donald Manning, **Attachment 5** hereto, Nextel Partners meets each of these requirements.

A. Nextel Partners Will Provide Service Over its Own Facilities

Nextel Partners has sufficient wireless network infrastructure facilities and capacity to provide supported services throughout the Designated Areas in the State of Virginia over its own facilities.

B. Nextel Partners Offers All Required Services and Functionalities

Nextel Partners offers, or will offer upon designation as an ETC in the Designated Areas, all of the services and functionalities required by Section 54.101(a) of the Commission's Rules, 47 CFR § 54.101(a), including the following:

1. **Voice grade access to the public switched telephone network.** Voice grade access to the public switched telephone network ("PSTN") means the ability to make and receive traditional voice phone calls, within a bandwidth of approximately 3500 Hertz.⁴ Nextel Partners' voice grade access enables a user of telecommunications services to transmit voice

³ *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(3)(6) of the Communications Act*, FCC 97-419 (released December 29, 1997).

⁴ *See Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd 8776 at 8810-11 ("USF Order").

communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. The bandwidth for Nextel Partners' voice grade access is, at a minimum, 300 to 3,000 Hertz.

2. **Local Usage.** As part of the voice grade access to the PSTN, an ETC must provide local calling. Nextel Partners, through its wireless network, provides subscribers the ability to send and receive local phone calls both over Nextel Partners' network and through interconnection with the incumbent local exchange carriers serving the Designated Areas. Local usage is included in all of Nextel Partners' calling plans. As a designated ETC, Nextel Partners will comply with any and all minimum local usage requirements adopted by the Commission.

3. **Dual tone multi-frequency ("DTMF") signaling or its functional equivalent.** DTMF signaling allows carriers to provide expeditious call setup, and enables modem usage.⁵ Nextel Partners uses out-of-band signaling and in-band multifrequency signaling that is functionally equivalent to DTMF.

4. **Single-party service or its functional equivalent.** Nextel Partners provides customers with single-party access for the duration of every phone call. Nextel Partners does not provide "multi-party" or "party line" services.

5. **Access to 911 and E911 emergency service.** The Commission has declared that access to emergency services is essential.⁶ Nextel Partners provides universal access to the 911 system for its customers, and has implemented and will continue to implement E911 services consistent with the Commission's Rules and Orders and local PSAP requests. As of February 1, 2003, Nextel Partners has launched nine Virginia counties at Phase I, with eight

⁵ *USF Order* at 8814.

⁶ *Id* at 8815

counties pending implementation, and four counties at Phase II, with two additional counties pending.

6. **Access to operator services.** Nextel Partners offers all of its customers access to operator services, in accordance with the Commission's requirements.

7. **Access to interexchange ("IXC") service.** Nextel Partners customers can use the Nextel Partners network for IXC access to place long distance phone calls. Access is through interconnection agreements with several IXC carriers. Nextel Partners' customers can also reach their IXC of choice by dialing the appropriate access code.

8. **Access to directory assistance.** All Nextel Partners customers receive access to 411 directory assistance service through the Nextel Partners network.

9. **Toll limitation for qualified low-income customers.** As required by the Commission's Rules, Nextel Partners, upon designation as an ETC, will make available to qualifying low-income customers a solution that assists these low-income persons to control their telephone costs.⁷ Nextel Partners is fully capable of providing such a toll limiting service to its customers. Nextel Partners does not presently offer a toll limitation feature, because it is not an ETC. Upon designation as an ETC, Nextel Partners will participate in, and offer, LifeLine and Link-Up programs as required by the Commission's Rules. In accordance with Section 54.401(b) of the Commission's Rules, 47 CFR § 54.401(b), Nextel Partners will not disconnect Lifeline service for non-payment of toll charges.

C. The Virginia State Corporation Commission Does Not Regulate CMRS Service

A carrier seeking designation as an ETC must typically request such a designation from the applicable state regulatory commission. However, the Virginia State Corporation

⁷ *Id.* at 8821-22.

Commission (the "VSCC") does not regulate CMRS carriers such as Nextel Partners for the purpose of making ETC determinations. An order evidencing the fact that the VSCC does not regulate CMRS carriers is attached to this Petition as Attachment 2.⁸ This order meets the Commission's specific requirements, in that it specifies that CMRS carriers such as Nextel Partners are not subject to regulation in the State of Virginia for purposes of determinations concerning eligibility for ETC status.⁹ Nextel Partners requests that the FCC designate Nextel Partners as "a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a state commission" pursuant to 47 U.S.C. § 214(e)(6).

D. Nextel Partners Will Advertise the Availability of Supported Services

Nextel Partners will advertise the availability of the above-described services and the charges therefore using media of general distribution, in accordance with the requirements of Section 54.201(d)(2) of the Commission's Rules, 47 CFR § 54.201(d)(2). Nextel Partners currently advertises the availability of its services, and will do so for each supported service on a regular basis, in newspapers, and magazines, or on radio and television, that constitute media of general distribution in Designated Areas of the State of Virginia.

II. Nextel Partners Requests Designation Throughout Each of the Designated Areas Within Its Service Coverage

Nextel Partners is not a rural telephone company as defined in Section 153(37) of the Communications Act, 47 U.S.C. § 153(37). Accordingly, Nextel Partners is required to describe

⁸ *In Re Application of Virginia Cellular, LLC for designation as an eligible telecommunications provider under 47 U.S.C. § 214(e)(2)*, Case No. PUC010263 at 4-5 (Virginia State Corporation Commission, April 9, 2002) ("the Commission has not asserted jurisdiction over CMRS carriers and . . . the applicant should apply to the FCC for ETC designation").

⁹ *See, e.g.*, FCC Public Notice, "Wireline Competition Bureau Seeks Comment on Highland Cellular Telephone, Inc. Petition for Designation as an Eligible Telecommunications Carrier in Virginia; Pleading Cycle Established," CC Docket No. 96-45, DA 02-2487, 17 FCC Rcd 19175 (released October 2, 2002).

the geographic area(s) within which it requests designation as an ETC. Nextel Partners requests designation as an ETC throughout each of the Designated Areas within the State of Virginia, as set forth in **Attachment 1**. As noted above, these Designated Areas consist both of study areas of rural telephone companies and specific wire centers of non-rural incumbent LECs.¹⁰ In **Attachment 3** hereto, Nextel Partners provides a map of its service area, within which Nextel Partners provides service to the Designated Areas listed in **Attachment 1** hereto.¹¹

Except as otherwise specifically indicated, Nextel Partners provides service to the entirety of each rural telephone study area and non-rural ILEC wire center set forth on **Attachment 1**.¹² In the case of the non-rural ILEC wire centers served by Nextel Partners, as discussed immediately below, the Commission may designate Nextel Partners as an ETC without redefining the service areas of the non-rural ILEC.

III. In Accordance with 47 U.S.C. § 214(e)(6), Nextel Partners Is Entitled to Be Designated as an ETC in Non-Rural Wire Centers

To the extent Nextel Partners is serving non-rural wire centers and providing the services set forth in Section I of the present Petition as required by Section 214(e) the Act and the FCC's implementing rules, as set forth in 47 C.F.R. Section 54.201(c), Nextel Partners is entitled to be

¹⁰ Wireless service is inherently affected by conditions unique to wireless service providers and which conditions do not affect wireline service providers. Geography, atmospheric conditions and man-made radiofrequency and physical structure interference may at times reduce or increase a wireless user's coverage area. At the same time, the mobility and functionality of wireless phone service adds immense benefits and convenience to wireless users that wireline providers cannot match

¹¹ For purposes of this Petition, the coverage map provided in **Attachment 3** hereto reflects the result of a conservative radiofrequency propagation analysis assuming a one-watt wireless phone at -105dB

¹² To the extent that Nextel Partners covers only a portion of a given rural telephone company service area, Nextel Partners specifically requests designation as an ETC for those portions of the rural telephone company service area served by Nextel Partners, as discussed in **Section V** hereof.

granted ETC status by the Commission with respect to the non-rural wire centers attached hereto as **Attachment 1**. See 47 U.S.C. § 214(e)(6).

IV. Designation of Nextel Partners as an ETC for the Designated Areas Served by a Rural Telephone Company In the State of Virginia Would Serve the Public Interest

Certain of the Designated Areas in which Nextel Partners seeks certification are areas served by rural telephone companies as defined in Section 153(37) of the Communications Act.¹³ With respect to each of these areas served by a rural telephone company, the Act requires that the Commission determine that Nextel Partners' designation as an ETC in each case is in the public interest.¹⁴ As demonstrated below, Nextel Partners' designation as an ETC would serve the public interest in all of the Designated Areas in a number of ways.

The Commission has determined that "[d]esignation of competitive ETCs promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services, and new technologies."¹⁵ This is particularly applicable in the Designated Areas served by rural telephone companies within the State of Virginia, many of which are rural, and in some cases remote, areas that in most cases are not presently served by competitive wireline carriers that could provide an alternative to the incumbent LEC. Designation of Nextel Partners as an ETC will provide a valuable alternative to the existing telecommunications regime in these areas, including a larger local calling area, the benefits of mobile telephony service and, where requested by the PSAP, GPS location assistance for customers calling 911.

¹³ See **Attachment 1** hereto.

¹⁴ See 47 U.S.C. § 214(e)(6).

¹⁵ See *Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, Memorandum Opinion and Order, CC Docket No. 96-45, 16 FCC Rcd 48, 55 (2000).

In addition, designation of Nextel Partners as an ETC will provide an incentive to the incumbent LECs in all of the Designated Areas to improve their existing networks in order to remain competitive, resulting in improved services to consumers. Designation of Nextel Partners as an ETC in each case will also benefit consumers because support to services provided by Nextel Partners will help assure that quality services are available at “just, reasonable, and affordable rates” as envisioned in the Act.¹⁶

Designation of Nextel Partners as an ETC will also serve the public interest in all of the Designated Areas because Nextel will provide all of the supported services required by the Commission, will participate in the LifeLine and Link-Up programs as required by the Commission’s Rules, and will otherwise comply with all FCC Rules governing universal service programs, which are designed to ensure that the public interest standards of the Act are achieved. Allowing Nextel Partners access to universal service subsidies will allow Nextel Partners to continue to enhance and expand its network infrastructure to better serve consumers in underserved, high-cost areas of the State of Virginia, and to compete with other carriers on a level regulatory playing field.

Finally, designation of Nextel Partners as an ETC will serve the public interest in all of the Designated Areas by further promoting the extensive role Nextel Partners plays in the provision of communications services to Virginia universities, colleges, public schools, libraries and local, state and federal government agencies, specifically law enforcement. At the time of this filing, Nextel Partners provides wireless service to 24 Virginia public universities, colleges, schools and libraries, 11 divisions of Federal Government agencies in Virginia, 17 state-level

¹⁶ See 47 U.S.C. § 254(b)(1).

agencies, and in excess of 59 local government agencies, including police, fire and similar first-responders.

Accordingly, designation of Nextel Partners as an ETC will serve the public interest.

V. To the Extent That Nextel Partners Serves Only a Portion of a Given Rural Telephone Company Service Area, Nextel Partners Requests That the FCC Propose A Redefinition of that Service Area

Nextel Partners covers all of the rural telephone company service areas set forth in **Attachment 1** hereto in their entirety, with the exception of two study areas, 190254 (Centel of VA) and 190567 (United Inter - MT- VA). Nextel Partners requests designation as an ETC for its entire service area in Virginia, including specific portions of these two study areas that are not entirely covered. To this end, Nextel Partners has specified in **Attachment 1** with respect to each of these two study areas the list of wire centers that Nextel Partners does cover in their entirety, and for which designation as an ETC is requested.

Nextel Partners specifically requests that the Commission propose a redefinition of the two indicated study areas so that, in each instance, the wire centers served by Nextel Partners may be designated as a single service area, and the remaining wire centers not served by Nextel Partners in each instance may be designated as separate service areas.

This proposed redefinition of the indicated rural telephone company service areas is consistent with the Joint Board's analysis. Pursuant to 47 C.F.R. Section 54.207(c)(1), a petition to redefine a rural LEC service area must contain "an analysis that takes into account the recommendations of any Federal-State Joint Board convened to provide recommendations with respect to the definition of a service areas served by a rural telephone company." Nextel Partners has requested that the Commission redefine the service areas of Centel of Virginia (190254) and United Inter-MT -VA (190567).

In *Federal-State Joint Board on Universal Service, Recommended Decision*, 12 FCC Rcd 87 (1996) (“*Recommended Decision*”), the Joint Board listed three factors that must be considered in the context of redefinition of a rural service area. First, it must be considered whether the competitive carrier is attempting to “cream-skim” by proposing to serve only the lowest cost exchanges. *See Recommended Decision* at 180. In the case of Nextel Partners, Nextel Partners’ service territory is governed by the grant of license authority from the Federal Communications Commission under various site-specific and geographic area licenses. Nextel Partners’ build-out of its licensed service area in Virginia has been carried out as mandated by the construction deadlines and population coverage requirements under Nextel Partners’ licenses, and does not reflect any intent on Nextel Partners’ part to serve only the lowest-cost exchanges within a rural telephone company study area.

Second, the special status of the affected rural carriers under the Communications Act must be considered, to determine how the public interest might be affected by the award of ETC status to Nextel Partners. *See id* Nextel Partners has set forth a number of reasons why the grant of ETC status in the State of Virginia would be in the interest of the public, *see supra*.

Third, there is the question of the administrative burden that might be inflicted on the rural ILEC if it is compelled to figure its costs on a basis other than its entire study area. But this “prong” of the Joint Board’s analysis is not directly applicable in this instance, since Nextel Partners is seeking redefinition of the two indicated rural ILEC study areas solely for the purpose of Nextel Partners’ designation as an ETC, and not for the purpose of refashioning the manner in which either of the two affected carriers calculates its costs.

Accordingly, the considerations outlined by the Joint Board do not bar the grant of ETC status to Nextel Partners in the case of redefinition of the two partially covered rural ILEC study

areas; in fact, since the addition of the innovative services and competitive offerings Nextel Partners brings to the equation can only benefit the public interest, the application of the Joint Board's analysis in this instance mandates a favorable outcome.

VI. Anti-Drug Abuse Certification

No party to this Petition is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.¹⁷

VII. High-Cost, Interstate Access, and Interstate Common Line Support Certification

Under Sections 54.313, 54.314 and 54.904 of the Commission's Rules, as well as 47 C.F.R. § 54.809, carriers wishing to obtain universal service support must either be certified by the appropriate state commission or, where the state commission does not exercise jurisdiction, must self-certify with the Commission and the Universal Service Administrative Company ("USAC") as to their compliance with Section 254(e) of the Act. As explained above, the VSCC does not exercise jurisdiction over CMRS carriers such as Nextel Partners. Therefore, Nextel Partners has submitted its high-cost, interstate access and interstate common line support certification letters with the Commission and with USAC. Copies of these certifications are attached hereto as **Attachment 4**. Nextel Partners respectfully requests that the Commission issue a finding that Nextel Partners has met the high-cost, interstate access and interstate common lines support certification requirement and that Nextel Partners is, therefore, entitled to begin receiving such support, where available, as of the date it receives a grant of ETC status in order that funding will not be delayed.¹⁸

¹⁷ See Declaration of Donald Manning, **Attachment 5** hereto.

¹⁸ See *Guam and Cellular Paging, Inc. Petition for Waiver of FCC Rule Section 54.314*, filed February 6, 2002.

VIII. Conclusion

Because the requirements for eligibility for designation as an eligible telecommunications carrier have been met, Nextel requests that the Commission promptly grant this Petition.

Respectfully submitted,

NPCR, INC. d/b/a NEXTEL PARTNERS

By

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Date: April 23, 2003

ATTACHMENT 1

Designated Areas for which Nextel Partners
seeks ETC designation in this Petition

1. Rural Telephone Company Study Areas

190217 Amelia Tel Corp.

190225 Citizens Tel Coop

190226 Ntelos, Inc.

190236 North River Tel Coop

190239 New Hope Tel Co - VA

190243 Pembroke Tel Coop

190244 Peoples Mutual Tel

190249 Roanoke & Botetourt

190250 Shenandoah Tel Co

190253 Virginia Tel Co.

190479 Verizon South VA

193029 New Castle Tel Co.

2. Covered Wire Centers of Partially Covered Rural Telephone Company Study Areas

190254 Centel of VA

ALTVVAXA

ARVNVAXA

AXTNVAXA

BCHLVAXA

BNMLVAXA

BNVSVAXA

BRBGVAXA

BRKNVAXA

BSSTVAXA

BTCHVAXA
CHVLVAXA
CHVLVAXB
COVLVAXA
CRZTVAXA
FKUNVAXA
FRRMVAXA
FRRYVAXA
GLDYVAXA
GLSGVAXA
HLFXVAXA
LURYVAXA
LXTNVAXA
MTPLVAXA
MTVIVAXA
NTBRVAXA
PLMYVAXA
RCMTVAXA
RDWYVAXA
RSBGVAXA
SCHLVAXA
SCVLVAXA
SDVLVAXA
SHNDVAXA
SPNCVAXA
STNLVAXA
STRTVAXA
UNHLVAXA

190567 United Inter - MT- VA

ABNGVAXA
ATVLVAXA
BLNDVAXA
BRSTVAXA
CANAVAXA
CHLHVAXA
CMRKVAXA
CRCKVAXA
DMSCVAXA
GALXVAXA
GDSPVAXA
GTCYVAXA
HLVLVAXA
INDPVAXA
KNRKVAXA
MARNVAXA
MDVWVAXA
MXMDVAXA
RCVYVAXA
RRRTVAXA
SGGVVAXA
SLVLVAXA
SYLVVAXA
WYVLVAXA

3. Non Rural ILEC Wire Centers

190233 Verizon S VA (Contel)

AMHRVAXA

APMTVAXA
ARCLVAXA
BRWRVAXA
BRWYVAXA
CALLVAXA
CHNCVAXA
DLCYVAXA
DLLSVAXA
DYTNVAXA
EDOMVAXA
EKTNVAXA
GLDSVAXA
GRBRVAXA
GRBRVAXB
GRTSVAXA
HRBGVAXA
HYMRVAXA
KZTWVAXA
LRTNVAXA
MGVLVAXA
MNSSVAXA
NKVLVAXA
OCQNVAXA
PMPLVAXA
QNTCVAXA
RPHNVAXA
SMFDVAXA
STCKVAXA
STFRVAXA
WNSDVAXA
WYCVVAXA

195040 Verizon VA Inc.

ALXNVAAD

ALXNVAAX

ALXNVABA

ALXNVABR

ALXNVACN

ALXNVAFR

ALXNVAMV

ARTNVAAR

ARTNVACK

ARTNVACY

ARTNVAFC

ASBNVAAS

ASLDVAAS

BCHNVABH

BDFRVABD

BEVLVABV

BGISVABI

BLBGVABB

BLMTVABM

BOYCVABY

BTHIVABT

CCVLVACH

CGVLVACL

CHESVACR

CHHMOVACH

CHSKVACD

CHSKVAGU

CLPPVACU

CLPPVAGR

CLVRVACL
CMLDVACU
CNCRVACN
CNVIVACT
CRBGVACB
CRVIVACV
CRVLVACV
DAVLVADA
DAVLVAFP
DAVLVAWE
DBLNVADU
DCVLVADV
FIFEVAFI
FLCHVAMF
FRBGVAFB
FRBGVALH
FRFXVABF
FRFXVAFF
GNBOVAGA
GNWDVAGW
GOVLVAGV
GVTNVAGR
HLBOVAHB
HMPNVAAB
HMPNVADC
HMPNVAQN
HPWLVAHW
HRNDVADU
HRNDVAHE
HRNDVAST
JNVLVAJV

LBNNVALB
LBNNVARD
LOUSVALU
LRTNVAGU
LSBGVALB
LVTNVALN
LVVLVALV
LYBGVACH
LYBGVACV
LYBGVAMH
LYBGVANL
LYBGVAOF
LYBGVATM
LYBGVAYB
MCLNVALV
MDBGVAMI
MDLTVAMD
MNKNVAMN
MNRLVAML
MRSHVAMA
NLFRVANF
NRFLVABL
NRFLVABS
NRFLVAGS
NRFLVASP
NRFLVAWC
NRTNVANO
NRWSVANA
NWNWVAHV
NWNWVAJF
NWNWVAYK

ORNGVAOR
PCVLVAPV
PLSKVAPU
PNGPVAPG
PNRVVAPR
PRBGVAPB
PRFRVAPF
PTBGVAPB
PTMOVAHF
PTMOVAHS
RCMDVACG
RCMDVAGK
RCMDVAGR
RCMDVAGY
RCMDVAHL
RCMDVAHR
RCMDVAHS
RCMDVAIT
RCMDVALS
RCMDVAPE
RCMDVAPS
RCMDVARA
RCMDVASN
RCMDVASR
RDFRVARA
RNGLVARG
RONKVABK
RONKVABS
RONKVACS
RONKVACV
RONKVAGC

RONKVALK
RSTNVAFM
RSTNVALF
SALMVAFL
SALMVAMC
SALMVASA
SFFLVASK
SHVLVASW
SNMTVASM
SNTNVASS
SPFDVASP
SPTSVASP
SRVLVASP
STCYVASC
STDRVASD
STTNVAST
STTNVAVE
SWVLVASV
THPLVATP
UNVLVAUV
UPVLVAUP
VINNVAVN
VRBHVACC
VRBHVACT
VRBHVAGN
VRBHVAIL
VRBHVAIR
VRBHVAPT
VRBHVARC
VRBHVAVB
WISEVAWI

WLBGVAWM

WNCHVANM

WNCHVAWC

WNTRVAWG

WRTNVAWR

WTFRVAWT

ATTACHMENT 2

Order establishing that VSCC does not regulate CMRS Carriers

ATTACHMENT 3

Map of Nextel Partners' coverage areas
in the State of Virginia

ATTACHMENT 4

Nextel Partners' Certification Letters

ATTACHMENT 5

Declaration of Donald Manning

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Declaration of Donald Manning

I, the undersigned Donald J. Manning, do hereby declare under penalty of perjury as follows:

1. I serve as Vice-President and General Counsel for Nextel Partners, Inc. ("Nextel Partners") and each of its subsidiary companies, including, but not limited to, NPCR, Inc. d/b/a Nextel Partners.

2. NPCR, Inc. is a wholly-owned, operational-arm subsidiary of Nextel Partners Operating Corp., which is a wholly-owned, operational subsidiary of Nextel Partners, Inc.

3. Nextel Partners, Inc. is a publicly-traded company with its common stock listed on the Nasdaq market, and is broadly owned by both institutional and individual investors.

4. Nextel Partners, Inc.'s President is John Chapple. Vice Presidents include Don Manning, Perry Satterlee, John Thompson, Mark Fanning, and Dave Aas. Entities with 5% or more equity positions with Nextel Partners, Inc. include: Credit Suisse First Boston through several funds held by DLJ Merchant Banking, Madison Dearborn Partners, Wellington Management Co., Eagle River Investments, Motorola, Cascade Investments (an investment company controlled by William H. Gates, III), and Nextel Communications, Inc.

5. This Declaration is submitted in support of Nextel Partners' "Petition for Designation As an Eligible Telecommunications Carrier," to which this Declaration is appended.

6. I declare and certify as follows, and as described in the aforementioned Petition, that: Nextel Partners offers, or will offer, all of the services designated by the FCC for support pursuant to Section 254(c)(3) of the Act; that Nextel Partners offers, or will offer, the supported services using its own facilities; and that Nextel Partners advertises, or will advertise, the availability of supported services and the charges therefore using media of general distribution as described in the annexed Petition.

7. I further declare that I have reviewed the annexed Petition and that the facts stated therein, of which I have personal knowledge, are true and correct to the best of my knowledge and belief.

8. I further declare that to the best of my knowledge, Nextel Partners, including all officers, directors, or persons holding 5% or more of the outstanding stock or shares (voting and/or nonvoting) of Nextel as specified in Section 1.2002(b) of the Commission's Rules are not subject to denial of federal benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

Donald J. Manning
Vice President and General Counsel
NPCR, Inc. d/b/a Nextel Partners

Dated: April ____, 2003

CERTIFICATE OF SERVICE

The undersigned, an attorney in the law firm of Catalano & Plache, PLLC hereby certifies that on this 23rd day of April, 2003, a true and correct photocopy of the foregoing "Petition" was sent to the following persons:

Richard Smith
Accounting Policy Division
Federal Communications Commission
445 12th Street, SW
Room 5-A660
Washington, DC 20554
(By hand delivery)

Paul Garnett, Esq.
Wireline Competition Bureau
Telecommunications Access Policy Division
Federal Communications Commission
445 12th Street, SW
Room 5-C-315
Washington, DC 20554
(By hand delivery)

William Irby
Director, Communications Division
Virginia State Corporation Commission
P.O. Box 1197
Richmond, VA 23218
(By U.S. First Class Mail, Postage Prepaid)

Ronald J. Jarvis